

EXHIBIT  
C

AFFIDAVIT OF R. GUY TAFT

State of Ohio            )  
                                  ) SS:  
Hamilton County        )

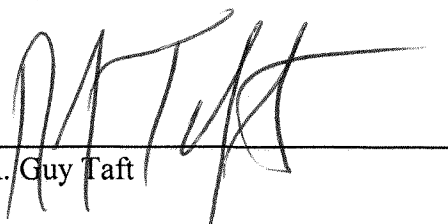
R. Guy Taft, being first duly cautioned and sworn, deposes and says:

1. I have been a licensed and practicing attorney for 44 years with Bar admissions to Ohio, the United States Supreme Court, the United States Sixth Circuit Court of Appeals, the United States Federal Circuit Court of Appeals, the United States District Court for the Southern District of Ohio, the United States District Court for the Northern District of Ohio and the United States Tax Court. I have been a shareholder in the Cincinnati based law firm of Strauss Troy Co. LPA for the past 31 years, and have served as co-chair of the firm's litigation department for the past 25 years.
2. I was president of the Cincinnati Bar Foundation from 2010-2012. I served as a trustee on the board of the Cincinnati Bar Association for 6 years, and I was a Master of the Bench of the Potter Stewart American Inn of Court. I served as Continuing Legal Education Chairman for the Federal Bar Association Annual Convention in 2004, chairman of the Community Services Committee for the Cincinnati Bar Association, and chairman of the Executive Committee, the Development Committee, and the Grants Committee for the Cincinnati Bar Foundation. Attached hereto is a copy of my bio displayed on Strauss Troy's website, and it is accurate.
3. My area of practice throughout my professional career is civil litigation and I have tried many complex jury and non-jury trials to conclusion.
4. As a civil trial attorney, I find that the timely disclosure of evidence or information through the Rules of Civil Procedure impacts many facets of a case other than just the trial itself. Timely disclosure of information impacts what pretrial motions are filed, what experts need

to be retained, what witnesses need to be interviewed, what documents will be necessary for trial and/or pretrial motions, and other strategic matters ranging from voir dire and opening statements to motions in *limine*.

5. In my experience, several months of preparation and work are required after discovery is provided. Even if not admissible, a single piece of discovery can be the building block that leads to further significant and material admissible evidence so long as counsel has ample time to inquire and prepare.
6. I was surprised to learn that the government's practice in criminal cases of not providing defense counsel witness names, reports, evidentiary materials and other discovery information until trial or shortly before trial is acceptable practice.
7. I cannot imagine preparing for trial without full discovery permitted under the Rules of Criminal Procedure in a timely manner.
8. Timely disclosure of crucial pieces of evidence and information is the only way to adequately prepare for a trial on the full merits of a case.
9. Based on my civil trial experience, I believe that timely disclosure promotes judicial economy by permitting the parties to be well prepared and ready to try their case.
10. Fundamental fairness seems to require timely disclosure when someone's life or liberty is at stake and it is fundamentally unfair to conceal information and evidence until the information's usefulness may be substantially diminished.

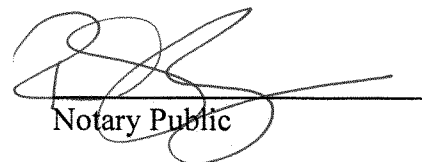
Further affiant sayeth naught.

  
R. Guy Taft



Sworn to before me and subscribed in my presence this 8<sup>th</sup> day of February, 2021.

**ROBYN L. SHAPIRO**  
Notary Public, State of Ohio  
My Commission Expires  
October 1, 2022

  
Notary Public



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## R. GUY TAFT

### Shareholder

R. Guy Taft concentrates his legal practice in Federal and State court litigation and appeals, particularly in the areas of intellectual property litigation (patent, trademark, copyright and counterfeiting), unlawful competition, breach of contract, fraud, partnership and shareholder disputes, advertising and First Amendment law, employment law, product liability, health care and commercial real estate disputes. Guy also served as an arbitrator for the American Arbitration Association in commercial and intellectual property disputes, including disputes related to the licensing of computer software.

Guy was president of the Cincinnati Bar Foundation from 2010-2012. Additionally, he served six years as a trustee on the board of the Cincinnati Bar Association, and he has been a Master of the Bench of the Potter Stewart American Inn of Court. Guy has been named a Best Lawyer® by *U.S. News* in the areas of commercial litigation and appellate practice, and he has received the highest possible peer review rating of AV® Preeminent™ from Martindale-Hubbell for 30 years. He also has been repeatedly recognized as a "Leading Lawyer" by *Cincy Magazine* and as an Ohio Super Lawyer® in the practice area of intellectual property litigation.

He served as the Continuing Legal Education Chairman for the Federal Bar Association Annual Convention in 2004, chairman of the Community Services Committee for the Cincinnati Bar Association, and chairman of the Executive Committee, the Development Committee, and the Grants Committee for the Cincinnati Bar Foundation.

Guy is co-chairman of Strauss Troy's Litigation Department. He is a shareholder/partner of the firm and has served on its board of directors.

### Education

University of Cincinnati College of Law (J.D., Order of the Coif)  
University of Cincinnati (B.A., with high honors)

### Significant Representations

Lead trial counsel in prosecution of Lanham Act product disparagement case for international protective products manufacturer against primary competitor.

Lead trial counsel in defense of wholesale grocery and drug distributor against alleged claims of product and label counterfeiting claims in Ohio and New York Federal Courts.

Lead trial counsel in defense of national packaging products company against patent infringement claims by competitor concerning air filled packaging products.

Lead trial counsel in defense of national manufacturer against patent infringement claims by competitor relating to mechanical and electronic aspects of production machines.

Lead trial counsel in defense of national manufacturer against claims relating to chemical process patents (ultra-filtration technology).

Lead trial counsel in representation of international developer of electricity and steam energy plants throughout Eastern and Central Europe on damages claims arising from breach of contract and fraud by U.S. power conglomerate for development, finance, and construction costs, and profits.

Lead trial counsel in representation of major shareholder in breach of fiduciary duties and related claims against other dominant shareholders and directors of a major U.S. restaurant chain.

Lead trial counsel in defense of major national bank against claims by corporate customer against the bank for reimbursement of funds embezzled by the corporation's comptroller.

Lead trial counsel in defense of retail company in claims of harassment and discrimination by former executive and administrative employees.

Represented large national health insurer to take over entire provider network in Greater Cincinnati.

Represented large health care insurer in defense of medical coverage claims.

Lead trial counsel in representation of plaintiff consumer class against public utility for excessive natural gas charges, breach of contract and consumer law violations.

Lead trial counsel in defense of class action by consumers against credit corporation for alleged breach of federal consumer protection laws.

Lead trial counsel in ongoing representation of Fortune 500 billboard company against governmental attempts to shut down electronically changeable LED billboards.

Lead trial counsel in representation of oil and gas company in defense of nuisance claims by adjacent business.

Representation of large institutional investor in breach of contract claims against public utility relating to coal off-loading and barge transfer facility on river in Kentucky.

Representation of municipal corporations in a variety of business matters and disputes.

Lead trial counsel in defense of professional hockey team against breach of contract claims by coliseum owner.

Lead trial counsel in defense of copyright and trademark infringement claims against national wholesale and retail distributor of plumbing and bathroom products in Philadelphia Federal Court.

Lead trial counsel representing manufacturer/owner of design patent for taillight, in patent claims against former supplier.

Represented big three car manufacturer in numerous cases involving consumer warranty claims.

Lead trial counsel in automobile dealership franchise litigation.

Represented major east coast university against fraud and undue influence claims by claimed beneficiary of substantial contributors to the university.

Lead trial counsel for major commercial real estate developer in defense of claims by commercial tenant.

Represented several employers to enforce, by injunctive relief and damages, restrictive covenants in employment and trade secret obligations owed by employees.

Lead trial counsel representing consulting company for compensatory and punitive damages against former executives for theft of trade secrets.

Lead trial counsel representing estate of worker killed in chemical explosion at place of employment, for wrongful death compensatory and punitive damages.

Have served as arbitrator in claims involving alleged accounting malpractice, unfair competition claims, and commercial disputes concerning the ownership, use, and license of computer software.

## Community Involvement

Federal Bar Association

Cincinnati Bar Association

Ohio State Bar Association

Cincinnati Bar Foundation, past-president and board of trustees

Cincinnati Bar Association, past board of trustees

Cincinnati Bar Association, past community services chair

Cincinnati Bar Association, past nominating committee trustee representative

American Bar Association (1977-2018)

University of Cincinnati Law Review, past editorial board member

Potter Stewart American Inn of Court, master of the bench

Strauss Troy, Co-Chairman of litigation department

Strauss Troy, past member of Board of Directors

## Honors & Recognition

U.S. News Best Lawyers in America 2014-2021

Ohio Super Lawyer® 2005-2010; 2012-2017; 2020-2021

Martindale-Hubbell AV® Preeminent™ Attorney

"Leading Lawyer" by *Cincy Magazine*

## Practice Areas

Federal | State Litigation and Appeals

Intellectual Property Litigation (Patent, Trademark, Copyright and Counterfeiting)

Constitutional Law focusing on First Amendment rights and Fifth and 14th Amendment property rights

Unlawful Competition

Breach of Contract

Fraud

Partnership | Shareholder Disputes

Advertising and First Amendment Law

Employment Law

Product Liability

Health Care

Arbitrations